

## RESOLUTION

WHEREAS, Excel Academy (“Excel”) was approved as a charter school by the Board of Education of Jefferson County School District No. R-1 (the “District”) under the Charter Schools Act, C.R.S. §§ 22-30.5-101 *et seq.*, and has operated as a charter school in the District since its first contract with the District dated June 1, 1995; and

WHEREAS, Excel is currently operating under a Charter School Contract with the District dated July 1, 2003 with a term ending June 30, 2008, and under an Addendum to that Contract effective July 1, 2007 (attached as Exhibit A); and

WHEREAS, Excel applied to the District for renewal of its charter, pursuant to C.R.S. § 22-30.5-110; and

WHEREAS, the Board of Education has held meetings in the District regarding Excel’s renewal application; and

WHEREAS, the District staff has reviewed Excel’s charter school renewal application (attached as Exhibit B); and

WHEREAS, the Board of Education has considered Excel’s charter school renewal application, Board policy, the Charter Schools Act, oral and written submissions from the public, and the comments and recommendations of District staff; and

WHEREAS, the Charter Schools Act, C.R.S. § 22-30.5-105, provides that the agreement between a charter school and a school district regarding the administration, governance, and operation of the charter school be set forth in a contract; and

WHEREAS, the Board of Education finds that the conditional approval of Excel’s charter renewal is consistent with the best interests of the District, its students, and the community.

NOW THEREFORE, BE IT RESOLVED by the Board of Education that Excel’s charter school renewal application is conditionally approved subject to the following terms and conditions, which terms and conditions shall constitute amendments to and be deemed to be incorporated in Excel’s charter school renewal application:

1. This grant is conditioned upon the negotiation and execution of a contract generally consistent with the contracts between the District and its other charter schools and acceptable to the charter applicant and the Board of Education. This conditional

grant does not constitute approval or acceptance by the Board of Education of any element or provision of the charter renewal application, including, but not limited to, requested waivers of Board policy or state regulations.

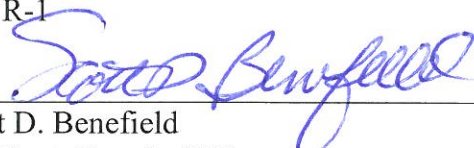
2. Approval of Excel's charter school renewal application is further conditioned upon Excel submitting to the District, on or before April 15, 2008, and as required under C.R.S. § 22-30.5-105(2)(b)(I), a statement in its budget specifying how Excel intends to use the 1% increase in the statewide base per pupil funding for the fiscal year during the term of the charter school renewal contract as provided in Colo. Const. art. IX, § 17.

3. The charter is approved subject to the foregoing conditions for a five-year term, commencing July 1, 2008.

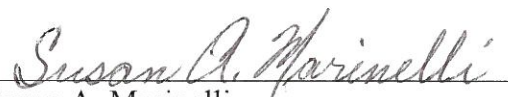
Adopted this 7th day of February, 2008.

JEFFERSON COUNTY SCHOOL DISTRICT  
NO. R-1

By:

  
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Scott D. Benefield  
President, Board of Education

Attest:

  
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Susan A. Marinelli  
Secretary, Board of Education